

**COUNCIL WORK SESSION**

**MAY 20, 2019**

**6:30 P.M. PROMPT**

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- **DISCUSSION OF AGENDA**
- **DISCUSSION OF CHAPTER 1949 “SIGNS”**  
(§1949.136) (2/4/19-2/18/19-3/4/19-3/18/19-4/1/19-4/15/19-5/6/19)
- **EXECUTIVE SESSION** – (Personnel / Litigation / Economic Development)

**PLEASE TURN OFF ALL CELL PHONES BEFORE MEETING**  
(Council Minutes and Agendas posted at [www.bedfordoh.gov](http://www.bedfordoh.gov))

Bedford City Council met in a Work Session at Bedford City Hall on Monday, May 20, 2019 at 6:42 p.m.

Present: Council Members: Victor Fluharty, Heather Rhoades, Walter Genutis, Don Saunders and Sandy Spinks [joined at 7:03 p.m.]. Absent: Mayor Stan Koci, Vice-Mayor Paula Mizesak. Also Present: Clerk of Council Lorree Villers. Administration: Law Director John Montello, Assistant Finance Director Jennifer Howland and Building Commissioner Calvin Beverly. [Absent: Finance Director Frank Gambosi]

Resident: Joyce Daunch and another resident.

Councilman Saunders being the senior Council member began discussion of the Regular Council Meeting agenda.

There were no changes to the May 6, 2019 Regular Council and the Work Session Minutes and the May 6, 2019 Public Hearing Minutes.

Councilman Saunders explained the following Ordinance Nos. 9683-19, 9684-19 and 9685-19 would remain "tabled" until after the May 21, 2019 Planning Commission Public Hearing. The Planning Commission Public Hearing was scheduled for May 21, 2019 and the next reading was June 3, 2019.

ORDINANCE NO. 9683-19 AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED NEAR THE INTERSECTION OF NORTHFIELD & ROCKSIDE ROADS FROM THE "B-3 SHOPPING CENTER DISTRICT" TO THE "M-U MIXED-USE DISTRICT" CLASSIFICATION

The Ordinance was for the following: 1) A majority of the land area within the existing B-3 Shopping Center District ("B-3 District") near Northfield and Rockside Roads was not being used by commercial/retail tenants under the current zoning code. 2) The City has engaged Mr. George Smerigan as a Planning Consultant to advise the City on what steps could be taken to spur economic development within the City. 3) Mr. Smerigan has recommended rezoning certain property within the B-3 District to a Mixed-Use classification. 4) Council was separately repealing and replacing the B-3 District with a new "M-U Mixed-Use Zoning District" ("M-U District"). 5) Council was considering rezoning property described herein from a B-3 District to an M-U Mixed-Use District, upon its own initiative and at the recommendation of Mr. Smerigan, the Building Commissioner and the Administration, to spur economic development within the City. 6) The rezoning from the B-3 District to the M-U Mixed-Use District of P.P. Nos. 811-23-001 / 811-23-002 / 811-24-001 / 811-24-002 / 811-24-003 / 811-26-001 / 811-27-001 / 811-27-002 / 811-27-004 / 813-01-001 / 813-01-002 / 813-02-002 / 813-02-003 / 813-02-004 / 813-03-006 / 813-03-007 / 813-04-061 / 813-04-062 / 813-04-063 was in the public interest and was consistent with the recommendation of Mr. Smerigan. 7) Council desired to rezone said parcels to promote public health, safety and convenience and to spur economic development within the City. 8) The Ordinance has been referred to Planning and Zoning Commission for report and recommendation. 9) A Public Hearing relating to this Ordinance would be held.

As attached to the Ordinance Council hereby rezones the properties known as Permanent Parcel Nos. 811-23-001 / 811-23-002 / 811-24-001 / 811-24-002 / 811-24-003 / 811-26-001 / 811-27-001 / 811-27-002 / 811-27-004 / 813-01-001 / 813-01-002 / 813-02-002 / 813-02-003 / 813-02-004 / 813-03-006 / 813-03-007 / 813-04-061 / 813-04-062 / 813-04-063, as further depicted and described from the "B-3 Shopping Center District" to the "M-U Mixed-Use District" as follows:

## CHAPTER 1939 M-U MIXED-USE DISTRICT

### 1939.01 PURPOSE

The purposes of the M-U Mixed-Use District is to:

- a) To provide for the integration of uses into a cohesive employment center.

- b) To provide for and encourage the reuse and redevelopment of properties within the District as high-density mixed-use developments with the potential to create jobs and housing opportunities to enhance the tax base.
- c) To recognize the unique nature of the areas zoned Mixed-Use District and to provide for the orderly development of those properties.
- d) To encourage creative, high quality site design practices in the development of higher density residential areas.
- e) To ensure that development occurs in a unified manner in accordance with a development plan.

#### **1939.02 PERMITTED USES**

The following principal uses are permitted in the M-U Mixed-Use District:

- a) Light assembly and production facilities, with accessory warehousing and storage.
- b) Scientific research development training & testing facilities.
- c) Offices
- d) Hotel and conference centers.
- e) Restaurants.
- f) Personal service facilities (including law, architecture, accounting, engineering consultants, insurance offices, banks, dry cleaners, and similar uses).
- g) Financial institutions.
- h) Retail stores.
- i) Educational and training facilities.
- j) Hospitals, clinics and medical facilities including dentistry.

#### **1939.03 CONDITIONAL USES**

The following uses may be permitted in the M-U Mixed-Use District subject to a conditional use permit approved by the Planning Commission pursuant to Section 1917.20:

- a) New car and light truck sales with a minimum of 100,000 square feet of total area located on contiguous parcels of land.
- b) Single-family dwellings.
- c) Medical marijuana cultivation and dispensary.
- d) Any other use that may be determined by the Planning Commission to be of the same general character as the foregoing permitted uses which are not noxious or offensive.

#### **1939.04 ACCESSORY USES**

The following uses may be permitted in the M-U Mixed-Use District as accessory uses to a principal permitted use:

- a) Off-street parking and loading facilities in accordance with the provisions of Chapter 1957, where no parking standard is provided, parking shall be as determined and established by the Planning Commission.
- b) Signs in accordance with the specific provisions of Section 1949.12 and the general provisions set forth in Chapter 1949 and any subsequent amendments thereto.
- c) Recreational facilities.

#### **1939.05 RESIDENTIAL USES**

The maximum density of areas devoted to residential uses shall not exceed six (6) dwelling units per acre for single-family attached dwellings. Lot area, frontage and yard requirements shall be set forth in Section 1927.05 of Chapter 1927.

#### **1939.06 SETBACK REQUIREMENTS**

The minimum perimeter building and parking setbacks shall be as follows;

- a) Front yards.

- (1) The minimum front-yard building setback from the public right-of-way shall be fifty (50) feet.
  - (2) The minimum parking setback from a public right-of-way shall be five (5) feet.
  - (3) The first five (5) feet of setback adjacent to the right-of-way shall be considered as green space containing landscaped contours, mounds, trees and shrubs per a plan approved by the Planning Commission.
- b) Side yards.
- (1) Where adjoining another M-U District property, the minimum side yard setback for buildings and parking shall be ten (10) feet.
  - (2) Where adjoining a residentially zoned district, the minimum side yard building setback shall be thirty (30) feet, which shall be buffered in conformance with Section 1939.12.
  - (3) Where adjoining a residentially zoned district, the minimum side yard setback for parking shall be twenty (20) feet, which shall be buffered in conformance with Section 1939.12.
- c) Rear yards.
- (1) Where adjoining another M-U District property, each building or structure shall have a minimum rear yard setback of ten (10) feet.
  - (2) Where adjoining a residentially zoned district, the minimum rear yard setback shall be thirty (30) feet, which shall be buffered in conformance with Section 1939.12.
  - (3) Where adjoining a residentially zoned district, the minimum rear yard setback for parking shall be twenty (20) feet, which shall be buffered in conformance with Section 1939.12.

### **1939.07 HEIGHT REGULATIONS**

Buildings and structures shall comply with the height regulations set forth below:

- a) Principal buildings shall not exceed a height of forty-five (45) feet.
- b) Accessory buildings shall not exceed twenty-five (25) feet.
- c) Architectural or decorative features, mechanical rooms, mechanical equipment, chimneys, flagpoles, water tanks and other appurtenances may be erected above the maximum building height as permitted by the Planning Commission

### **1939.08 ARCHITECTURAL DESIGN REQUIREMENTS**

Visual continuity among major building components is a requirement of the M-U Mixed-Use District. The major building components shall be constructed as follows:

- a) Walls.
- (1) Basic wall materials shall be limited to clay brick masonry or modular stone on a minimum of 3 sides of every building. Where the fourth side of the structure is exposed to public view, then that side shall also be constructed of clay brick masonry. Otherwise, the fourth side may be constructed of concrete masonry units in a size and color approved by the Planning Commission. The Planning Commission, at its discretion and on a special case basis, may also consider other materials of equal or similar quality and longevity.
  - (2) Matte texture and earth tone colors of building materials are required.
  - (3) Wood shall not be permitted as a wall finish except as a trim material used on a very limited basis.
  - (4) The use of EIFS and similar materials or systems shall be limited to a maximum of 20% of the façade of the building, shall be installed no lower than 12 feet from the finished grade, and shall be used as a trim or accent material only.
  - (5) The use of mirror or reflective glass in the front wall of a building is prohibited.
- b) Roofing.
- (1) Approved roofing materials shall be limited to concrete tile, standing seam metal and traditional, fiberglass, architectural grade shingles, as well as various types of built-up or rubber flat-roofing systems.
  - (2) Flat or lower roofs that can be viewed from above from adjacent, taller structures shall be treated with architectural screens placed in an orderly fashion.

- (3) All rooftop heating and ventilating equipment, as well as miscellaneous communications equipment and similar appurtenances shall be located within a penthouse or otherwise screened from public view.
  - (4) All downspouts and rooftop utilities shall be concealed, or to the extent that such cannot be concealed, placed in an orderly fashion and architecturally harmonious with the building and area. Storm run-off shall be handled per civil engineering standards for storm water management.
  - (5) Sound levels of all roof-mounted equipment shall not exceed 55 dBA at the property line.
  - (6) Utilities on the site shall be placed underground, and transformers and other units shall be screened from view.
- c) Accessories.
- (1) Transformers shall be screened from public view by means of plantings, walls, or fences. Transformers shall be located as to not be nuisances to the neighbors due to noise or location. Sound levels from transformers shall not exceed sixty (60) dBA at the property line.
  - (2) All dumpsters shall be screened from public view using materials that match or complement the building materials.

#### **1939.09 DEVELOPMENT PLANS**

Development plans for uses in the M-U Mixed-Use District shall comply with the provisions of Section 1917.30 and shall be approved by the Planning Commission prior to the establishment of any use or occupancy.

#### **1939.10 SITE LIGHTING**

Sources of light for illumination of buildings and grounds shall be shielded using full cut-off fixtures so that the light source is not directly visible from adjacent residentially zoned property and light spillage at the property line shall not be noxious or offensive. Site lighting shall be installed in conformance with a lighting plan approved by the Building Commissioner.

#### **1939.11 SERVICE AND DELIVERY AREAS**

- a) All loading dock areas shall be screened from the public view by the use of walls, fences or other approved means with a minimum screening height of six (6) feet.
- b) The use of mobile trailers for building storage shall not be permitted. The overnight parking of trailers or delivery trucks for any purpose other than the loading or unloading of said trailer is prohibited. Truck engines shall be shut off while parked on the site for loading or unloading.

#### **1939.12 LANDSCAPING AND SCREENING**

Whenever a side or rear yard is contiguous to residentially zoned land, said yard shall be screened and landscaped in accordance with a plan approved by the Planning Commission utilizing one or a combination of the following methods:

- a) Wall. A solid wall of masonry or other durable material not less than five (5) feet or more than six (6) feet in height. Such wall shall be located not closer than five (5) feet to the residential property line and shall be landscaped with grass, shrubbery or trees on the residential side of the wall as a buffer and screening. The wall and landscape planting shall be repaired, replaced and permanently maintained as necessary to provide a permanent, attractive and effective screen between the residential and the commercial use. Such wall shall be designed to conform and be compatible with the main structure in design and character.
- b) Planting. A strip of land not less than ten feet (10 ft.) in width shall be planted in a well-designed manner with trees, shrubs, evergreen hedges and evergreens to form a dense compact screening. The plantings shall provide a visual screen of at least sixty percent (60%) during all seasons at a minimum height of six feet (6 ft.) above grade. All deciduous trees shall be a minimum three (3.0) inch caliper and evergreen trees shall be a minimum of ten (10) feet in height.

- c) Mound. A strip of land not less than fifteen (15) feet in width with earthen, rock or similar material or combinations shall be mounded and sculptured to a height of not less than five (5) feet above grade utilizing side slopes no greater than a 3:1 ratio. The entire fifteen feet shall be landscaped with trees, shrubs, hedges and grass to form a screen which shall be maintained and necessary to provide a permanent, attractive and effective compatible separation of land use.
- d) Fencing. Screen fencing shall be board-on-board and shall be six (6) feet in height.

ORDINANCE NO. 9684-19 AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED AT BARTLETT & ROCKSIDE ROADS FROM THE "B-3 SHOPPING CENTER DISTRICT TO R-4" CLASSIFICATION

The Ordinance was for the following: 1) The City has engaged Mr. George Smerigan as a Planning Consultant to advise the City on what steps could be taken to spur economic development within the City. 2) Mr. Smerigan has recommended rezoning certain property within the B-3 Shopping Center District ("B-3 District") to a mixed-use classification. 3) As part of the rezoning process, the City would repeal Chapter of the Bedford Zoning Code that established the B-3 District, which would necessitate the rezoning of certain property that was used for multi-family residential use to a classification other than the B-3 District. 4) Council was considering rezoning property described herein from the B-3 District, upon its own initiative and upon the recommendation of Mr. Smerigan, the Building Commissioner and Administration, to the R-4 Multi-family Residence District ("R-4 District"), to align the zoning of the property with its current, appropriate use. 5) Rezoning from Permanent Parcel Nos. 813-02-001 / 813-03-002 / 813-03-004 / 813-03-005 from B-3 District to the R-4 District was in the public interest and was consistent with the recommendation of Mr. Smerigan. 6) Council desired to rezone said parcels to promote public health, safety and convenience of the City and to zone the property in a manner that was consistent with its current use. 7) This ordinance has been referred to the Planning and Zoning Commission for report and recommendation. 8) A Public Hearing related to the proposed rezoning was held. It was determined Mr. Beverly, Mr. Montello and Mr. Mallis would research amendments that could be considered in an R-4 District limiting non-conforming uses specifically for apartment buildings.

ORDINANCE NO. 9685-19 AN ORDINANCE REPEALING AND REPLACING EXISTING CHAPTER 1939, ENTITLED "B-3 SHOPPING CENTER DISTRICTS" WITH A NEW CHAPTER 1939 ENTITLED "M-U MIXED-USE DISTRICT" OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD

The Ordinance was for the following: 1) The City engaged a Planning Consultant, George Smerigan, to study land use within the City. 2) Mr. Smerigan has determined that the existing B-3 Shopping Center District ("B-3 District") may not permit uses that are sufficiently diverse to allow property owners within the District to utilize their properties in a manner consistent with evolving market conditions. 3) Ownership of properties within the B-3 District has become more diversified, which also supports a more flexible zoning district. 4) According to Mr. Smerigan, conditions have changed in the retail shopping market, which further supports the enactment of a more flexible zoning district. 5) Council does not want the City's zoning code to stand in the way of economic development opportunities for the City. 6) Mr. Smerigan has recommended that City Council repeal existing Chapter 1939, B-3 Shopping Center District, and replace it with a new Chapter 1939, M-U Mixed-Use District, in conjunction with rezoning certain properties from the B-3 District to either the M-U District or to the R-4 District. 7) Council, upon its own initiative and upon the recommendation of Mr. Smerigan and the City Administration, had determined that existing Chapter 1939, entitled "B-3 Shopping Center Districts" of the Codified Ordinances of the City of Bedford was to be repealed and replaced with new Chapter 1939 entitled "M-U Mixed-Use Districts," to promote public health, safety and convenience, and to advance economic development within the City. 8) Council intends by the enactment of new Chapter 1939 "M-U Mixed-Use Districts" to permit existing uses under the B-3 Shopping Center to continue and to provide property owners further flexibility in uses that were permitted under the City's Zoning Code so that property maybe developed for productive use. 9) This ordinance has been referred to the Planning and Zoning

Commission for report and recommendation. 10) A Public Hearing was advertised and held for the proposed code amendments.

Mrs. Howland explained Resolution No. 2533-19 and Ordinance Nos. 9689-19 and 9690-19 worked in conjunction annually for the street light assessment. The adoption of Resolution No. 2533-19 declaring it necessary to improve certain streets and public places in the City of Bedford by lighting of same and to assess the costs thereof against the lots and lands bounding and abutting upon the improvement. A legal notice of the proposed improvement and the estimated assessments against the various properties determining to proceed with said lighting improvement. The City Manager has certified to this Council that the amount properly assessable against the benefiting property for lighting same with electricity in accordance with Resolution No. 2533-19 and Ordinance No. 9689-19 by the method provided for therein is at the rate of 1.60 mills per each dollar of tax value per year, or 1.60 cents per each one hundred dollars of such tax value per year for the tax year of 2019 to be collected in the year 2020. These three pieces of legislation would be placed on second reading this evening.

RESOLUTION NO. 2533-19 A RESOLUTION DECLARING THE NECESSITY TO IMPROVE CERTAIN STREETS IN THE CITY OF BEDFORD, OHIO BY LIGHTING THE SAME AND DECLARING AN EMERGENCY

ORDINANCE NO. 9689-19 AN ORDINANCE DETERMINED TO PROCEED WITH THE IMPROVEMENT OF CERTAIN STREETS IN THE CITY OF BEDFORD, OHIO BY LIGHTING THE SAME AND DECLARING AN EMERGENCY

ORDINANCE NO. 9690-19 AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE IMPROVEMENT OF THE STREET AND PUBLIC PLACES OF THE CITY OF BEDFORD, OHIO BY LIGHTING OF THE SAME IN ACCORDANCE WITH RESOLUTION NO. 2533-19 AND ORDINANCE NO. 9689-19 AND DECLARING AN EMERGENCY

RESOLUTION NO. 2534-19 A RESOLUTION APPROVING AND ACCEPTING THE PROPOSED 2019 TAX BUDGET FOR THE YEAR JANUARY 1, 2020 TO DECEMBER 31, 2020 AND DECLARING AN EMERGENCY

Mrs. Howland explained the State laws required municipalities as well as other government subdivisions submit to the County Commission approximately six (6) months prior to the beginning of each calendar year, an estimated budget for the next calendar year so that the tax rate for such year may be determined by said Budget Commission. The Public Hearing was held May 6, 2019.

RESOLUTION NO. 2535-19 A RESOLUTION REQUESTING THE COUNTY AUDITOR TO ADVANCE TAXES FROM THE PROCEEDS OF TAX LEVIES FOR THE YEAR 2019 COLLECTED IN 2020 PURSUANT TO SECTION NO. 321.34 OF THE REVISED CODE OF THE STATE OF OHIO, AND DECLARING AN EMERGENCY

Mrs. Howland explained per Section No. 321.34 of the Revised Code of the State of Ohio provides that any money in the County Treasury, to the account of the City and lawfully applicable to the purpose of the current fiscal year be drawn upon by request. This legislation would be placed on second reading this evening.

ORDINANCE NO. 9692-19 AN ORDINANCE TO LEVY ASSESSMENTS FOR THE EXPENSE OF GARBAGE/REFUSE COLLECTION, RECYCLING AND DISPOSAL WITHIN THE CITY OF BEDFORD, OHIO DURING THE TAX YEAR 2019 AND COLLECTED IN 2020 AND DECLARING AN EMERGENCY

Mrs. Howland explained this Ordinance constituted an emergency measure providing for the daily operation of a Municipal Department. The cost of garbage/refuse collection, recycling and disposal, in the City was approved for the tax year 2019 collected in 2020 per the ORC Section 701.10. This legislation would be placed on second reading this evening.

Councilman Saunders said because of the lack of attendance/votes all the New Business items would be read as a first readings.

ORDINANCE NO. 9696-19 AN ORDINANCE AMENDING ORDINANCE NO. 9653-18 MAKING ADDITIONAL APPROPRIATIONS FOR CURRENT EXPENDITURES OF THE CITY OF BEDFORD, OHIO DURING THE YEAR 2019 AND DECLARING AN EMERGENCY

Mrs. Howland referred to Mr. Gambosi's memo and the amendments were as follows: General Fund: The increases in appropriations for 2019 in the General Fund were due to the following: Economic Development needs payroll updating at year end to account for wages paid to Director and benefits \$575. The Law Department needed an increase to account for longevity for the Law Director in the amount of \$1,435, and the Special Projects Fund needed appropriations for the online recording contract of \$9,435.00. Fund 201 First Suburbs Consortium Fund: To allow more funding of Economic Director's salary from this consortium for 2019 in the amount of \$1,185. Also, Marketing/Contracts Funds were allowed to be paid per the consortium up to \$4,000. Fund 210 Law Enforcement Trust Fund: To account for program income and additional funds from Automile as needed for the purchase of another canine and other program related expenditures in the amount of \$54,680.00. These funds were derived from the Automile and confiscated drug dollars. Fund 212 Fire Equipment Fund: This fund needed to account for the Stryker Loader Costs in the amount of \$47,995.20 of which \$35,981.40 was reimbursed from grant funds. Fund 213 Grants Fund: New grants including Bullet Proof Vests, US & R Task Force reimbursement, First Suburbs Community Development Corporation Grants, Recycle Grant, and VAWA Grant need appropriations for 2019. Fund 403 Capital Improvement Fund: This appropriation was to account for outside inspections by the Engineer and billed to the final users. In 2019, the City received an inspection payment in 2018 and paid the Engineer back in 2019, therefore, funds were needed to pay for this service in the amount of \$1,543.00. Fund 801 Law Enforcement Agency Fund: This appropriation was to allow transfer or refunding of local funds from confiscations collected in 2019 in the amount of \$22,182.14.

ORDINANCE NO. 9697-19 AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH PVS TECHNOLOGIES, INC. BEING THE LOWEST, RESPONSIVE AND RESPONSIBLE BIDDER, AND DECLARING AN EMERGENCY

Mr. Mallis explained per the bids PVS Technologies was the best bid for the purchase of Liquid Ferric Chloride.

ORDINANCE NO. 9698-19 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH SENIOR TRANSPORTATION CONNECTION AND DECLARING AN EMERGENCY

Mr. Mallis explained the Parks & Recreation Director recommended Senior Transportation Connection (STC) to provide additional transportation services to residents. The City desired to retain the services of competent and qualified Contractor to provide certain transportation services. STC's employees were trained on the AED machine, CPR Certified, educated on sensitivity training, offered elbow to elbow assistance, were tested for drugs and alcohol and provide longer hours of service during the day and weekends utilizing numerous vans; the focus was to be more efficient. It was clarified the cost would remain the same during normal hours but the evening and weekends had increased rates. The City had received complaints from the seniors that they couldn't get scheduled for the van because of seat limitation due to medical schedules. Discussion was held the senior van should be utilized for medical, grocery shopping and general shopping trips and entertainment; not as work transportation. The Administration/City would keep the two vans and utilize them in other ways. Mrs. Rhoades questioned



if the City had received assistance/grants in the past for the senior van if the City could apply for assistance/grants to help pay STC. Mr. Mallis would check into it. The cost for the remainder of 2019 was going to be approximately \$40,000 but would increase to approximately \$70,000 in the upcoming years. Discussion was held comparing the costs associated with paying an employee with medical costs at a cost of \$55,000 and the additional van maintenance/insurance/gas versus paying STC. It was determined the cost would be about the same; however, the City could provide more hours of service, additional days per week with evening and weekend hours. Mr. Mallis said this was not being a cut of an employee but rather a way to expand senior services.

**DISCUSSION OF CHAPTER 1949 "SIGNS" (§1949.136) (2/4/19-2/18/19-3/4/19-3/18/19-4/1/19-5/6/19)**

Previously submitted for Council review was the entire Chapter. Mrs. Rhoades previously explained the businesses that brought this discussion to the City's attention were Metro PCS and Broadway Auto. Just by coincidence, Accurate Tax Services also asked about adding window lights. In Metro PCS' case, they did technically do the proper thing initially. Per ordinance, the lights were considered signs and needed to be approved by the Historic Preservation Board (HPB). The HPB approved Metro PCS' window lights but it now appears that Metro PCS replaced the original lights with much brighter lights. She knew Accurate Tax Services and Broadway Auto never applied for a proper permit. In all three cases, the lights were very bright and with the advancement of LED technology lights they would only get brighter. She believed the HPB requested the ordinances be reviewed because they regretted giving permission to Metro PCS. Many other business owners in Downtown find them obnoxious, annoying and a direct quote from two different shop owners was it made the Downtown area feel like the "Vegas strip." She agreed that business owners have the right to advertise their businesses, business owners also have the right to have the look and feel of neighborhood that they originally opened their business and for it to remain as the same as when they signed the lease. She felt Sections 1949.133 and 1949.136 kind of already bans the lights as one bans "Internally illuminated sign panels" and the other bans "Flashing signs or signs illuminated in such a way as to be distracting to motorists." Three business owners say they want their lighted signs because it will attract the attention of passing motor vehicles, which means that they have to be distracting in order to do that. Section 1949.135 also put limits on how large a sign can be in the Downtown area as the lights were considered part of signage, it essentially turns the whole window into a sign, which also was not compliant with this ordinance. She felt Metro PCS never should have been approved in the first place. This was not really a matter of whether the City should ban window lights but rather clarifying that they were already banned. She was open to making rules about how bright the lights could be or some other compromise except that after reading the sign ordinances she realized that probably half the signs in Downtown were not in compliance. Some signs were blatantly not in compliance and had been this way for several years. The City's Building Department was not able to keep up with enforcing the current signage ordinances and adding another ambiguous, "left up to the discretion of someone" ordinance would likely not be enforced either. She would prefer an out-and-out ban on window lights in the Historic District.

Previously Mrs. Rhoades submitted her suggestions and/or amended version of the City of Aurora's Sign Chapter for review. Also submitted was the Village of Northfield's recently passed sign ordinance for comparison and review; however, it had not been challenged in Court. Council agreed the Historical District and Automobile would need special attention because the other cities did not have an Automobile and limited Historical Districts.

Previously the items discussed were: Political signs, real estate signs (push in ground lawn signs versus 4x4 post signs), flag signs, inflatable time limits, memorial sign time limits, vehicle for sale signs, scoreboards, video signs for example the City complex, Bedford Schools and LOHV and the need for possible variances. LED sign brightness, scrolling and flashing distracting signs. Council liked the City of Aurora's approach because it was specific and detailed; Bedford's was too vague and open to interpretation. Another concern was violating one's freedom of speech.

Mr. Beverly previously brought an additional piece to the Work Session that referred to the Gilbert, Arizona Supreme Court case. He liked some of the description/wording that was throughout the document. He pointed out good information/key points to amend portions of Bedford's current Codified Ordinances. It was determined the entire Chapter did not need to be amended/updated just certain sections. Mrs. Rhoades reiterated other business owners in Downtown found the lights obnoxious and annoying. A direct quote from two different shop owners was it made the Downtown area feel like the "Vegas strip". She agreed that business owners have the right to advertise their businesses but business owners also have the right to have the look and feel of neighborhood that they originally opened their business and for it to remain as the same. Discussion was held regarding: 1) murals being considered a piece of art as long as they didn't have written words, 2) graffiti art verses graffiti, 3) distracting signs as LED bulbs were increasing in brightness, 4) ghost signs, and 5) banner signs being a distraction to traffic. Mr. Beverly explained the foot candle meter he had in his office and how it worked.

At the last meeting Mr. Mallis explained Mr. Montello, Mr. Beverly and himself reviewed the entire Chapter and were about 90% done; however, the Administration and Council would have to compare the previous information gathered and insert bits and pieces into the current Chapter. The Historical District and Automobile would be addressed separately because of their uniqueness. Plus, there was discussion about the new trend of Wrapped Vehicles and extended parking for advertisement.

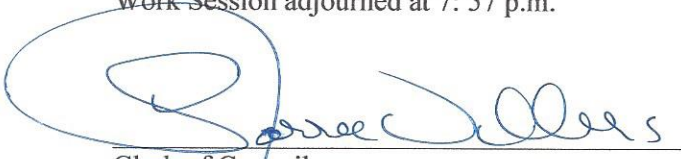
It was determined since there were two council members absent this issue would be forwarded to the next Work Session for their input.

Motion made by Spinks seconded by Genutis to go into executive session to discuss Personnel 121.22 (B) (1) / Litigation / Economic Development. The roll was called. Vote – Yeas: Fluharty, Saunders, Rhoades, Spinks, Genutis Nays: None. Motion carried unanimously.

At 7:35 p.m., Bedford City Council, City Manager Mike Mallis, Law Director John Montello and Assistant Finance Director Jennifer Howland went into an executive session to discuss Personnel 121.22 (B) (1) / Litigation / Economic Development.

Executive Session adjourned at 7:55 p.m.

Work Session adjourned at 7: 57 p.m.



Clerk of Council



Mayor - President of Council

- 
1. **CALL TO ORDER**
  2. **PLEDGE OF ALLEGIANCE**
  3. **ROLL CALL**
  4. **APPROVAL OF MINUTES**
    - a. Approval of Minutes of the Work Session of May 6, 2019
    - b. Approval of Minutes of the Regular Meeting of May 6, 2019
    - c. Approval of Minutes of the Public Hearing of May 6, 2019
  5. **PRESENTATIONS –**
  6. **OLD BUSINESS** – (Reg C 1<sup>st</sup> Rdg – 4/15/19, Newspaper Ad – 4/17/19, PC Public Hearing – 5/21/19, Reg C 2<sup>nd</sup> Rdg – 6/3/19 – 3<sup>rd</sup> Rdg 7/1/19)
    - a. Ordinance No. 9683-19 rezoning property described herein from “B-3” to “M-U” classification located at Northfield & Rockside Roads (Reg C Tabled: 5/6/19-5/20/19)  
(811-23-001 / 811-23-002 / 811-24-001 / 811-24-002 / 811-24-003 / 811-26-001 / 811-27-001 / 811-27-002 / 811-27-004 / 813-01-001 / 813-01-002 / 813-02-002 / 813-02-003 / 813-02-004 / 813-03-006 / 813-03-007 / 813-04-061 / 813-04-062 / 813-04-063)
    - b. Ordinance No. 9684-19 rezoning property described herein from “B-3” to “R-4” classification located at 22800 Rockside / 22737-69 Rockside / 22850 Rockside / 300 Bartlett (Reg C Tabled: 5/6/19-5/20/19)  
(813-02-001 / 813-03-002 / 813-03-004 / 813-03-005)
    - c. Ordinance No. 9685-19 repeal Ord. #7914-07 Chapter 1939 “B-3” replacing with Chapter 1939 entitled “M-U” (Reg C Tabled: 5/6/19-5/20/19)  
(1<sup>st</sup> Rdgs: 5/6/19):
    - d. Resolution No. 2533-19 declaring the necessity to improve certain streets by lighting same
    - e. Ordinance No. 9689-19 to proceed with the improvement of certain streets by lighting same
    - f. Ordinance No. 9690-19 levying special assessments for the improvement of the street and public places
    - g. Resolution No. 2534-19 approving and accepting the proposed 2019 Tax Budget for the year January 1, 2020 to December 31, 2020 (Rdgs: 5/6/19, 5/20/19, PH 5/6/19)
    - h. Resolution No. 2535-19 request County Auditor to advance taxes from tax levy proceeds for 2019 collected in 2020
    - i. Ordinance No. 9692-19 levying assessments for garbage/refuse collection, recycling and disposal
  7. **REPORTS**
    - a. City Manager
    - b. Law Director
    - c. Finance Director
    - d. Council Reports
  8. **NEW BUSINESS**
    - a. Ordinance No. 9696-19 amend Ordinance No. 9653-18 making additional appropriations
    - b. Ordinance No. 9697-19 contract w/PVS Technologies, Inc.
    - c. Ordinance No. 9698-19 contract w/Senior Transportation Connection (\$40,000)
  9. **HEARING OF CITIZENS**
  10. **ADJOURNMENT**

PLEASE TURN OFF ALL CELL PHONES BEFORE COUNCIL MEETING  
(Council Minutes and Agendas posted at [www.bedfordoh.gov](http://www.bedfordoh.gov))

Bedford City Council met in Regular Session at Bedford City Hall on Monday, May 20, 2019. Councilman Saunders called the meeting to order at 8:01 P.M. The meeting was opened by pledging allegiance to the flag. The roll was called. Present: Fluharty, Saunders, Rhoades, Spinks, Genutis. Absent: Mayor Koci, Vice-Mayor Mizsak.

Motion made by Fluharty seconded by Genutis to appoint Councilman Saunders as the acting Mayor/President of Council/Council Pro-Tem to preside over the meeting. The roll was called. Vote – Yeas: Fluharty, Saunders, Rhoades, Spinks, Genutis. Nays: None. Motion carried unanimously.

Motion made by Spinks seconded by Genutis to excuse Mayor Koci. The roll was called. Vote – Yeas: Fluharty, Saunders, Rhoades, Spinks, Genutis. Nays: None. Motion carried unanimously.

Motion made by Spinks seconded by Genutis to excuse Vice-Mayor Mizsak. The roll was called. Vote – Yeas: Fluharty, Saunders, Rhoades, Spinks, Genutis. Nays: None. Motion carried unanimously.

Motion made by Rhoades seconded by Genutis to approve the minutes of the Work Session Meeting of May 6, 2019. The roll was called. Vote – Yeas: Fluharty, Saunders, Rhoades, Spinks, Genutis. Nays: None. Motion carried unanimously.

Motion made by Fluharty seconded by Spinks to approve the minutes of the Regular Meeting of May 6, 2019. The roll was called. Vote – Yeas: Fluharty, Saunders, Rhoades, Spinks, Genutis. Nays: None. Motion carried unanimously.

Motion made by Spinks seconded by Genutis to approve the Public Hearing Minutes of May 6, 2019. The roll was called. Vote – Yeas: Fluharty, Saunders, Rhoades, Spinks, Genutis. Nays: None. Motion carried unanimously.

Ordinances Nos. 9683-19, 9684-19 and 9685-19 were to remain “tabled” until after the May 21, 2019 Planning Commission Public Hearing. The next reading would be June 3, 2019.

ORDINANCE NO. 9683-19 AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED NEAR THE INTERSECTION OF NORTHFIELD & ROCKSIDE ROADS FROM THE "B-3 SHOPPING CENTER DISTRICT" TO THE "M-U MIXED-USE DISTRICT" CLASSIFICATION PLACED ON FIRST READING APRIL 15, 2019 AND TABLED MAY 6, 2019 WAS READ BY TITLE ONLY

Previously, Mr. Montello noted the changes were per the WHEREAS's in the Ordinance: 1) A majority of the land area within the existing B-3 Shopping Center District (“B-3 District”) near Northfield and Rockside Roads was not being used by commercial/retail tenants under the current zoning code. 2) The City has engaged Mr. George Smerigan as a Planning Consultant to advise the City on what steps could be taken to spur economic development within the City. 3) Mr. Smerigan has recommended rezoning certain property within the B-3 District to a Mixed-Use classification. 4) Council was separately repealing and replacing the B-3 District with a new “M-U Mixed Zoning District” (“M-U District”). 5) Council was considering rezoning property described herein from a B-3 District to an M-U Mixed-Use District, upon its own initiative and at the recommendation of Mr. Smerigan, the Building Commissioner and the Administration, to spur economic development within the City. 6) The rezoning from the B-3 District to the M-U Mixed-Use District of P.P. Nos. 811-23-001 / 811-23-002 / 811-24-001 / 811-24-002 / 811-24-003 / 811-26-001 / 811-27-001 / 811-27-002 / 811-27-004 / 813-01-001 / 813-01-002 / 813-02-002 / 813-02-003 / 813-02-004 / 813-03-006 / 813-03-007 / 813-04-061 / 813-04-062 / 813-04-063 was in the public interest and was consistent with the recommendation of Mr. Smerigan. 7) Council desired to rezone said parcels to promote public health, safety and convenience and to spur economic development within the City. 8) The Ordinance has been referred to Planning and Zoning Commission for report and recommendation. 9) A Public Hearing relating to this Ordinance would be held.

ORDINANCE NO. 9684-19 AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED AT BARTLETT & ROCKSIDE ROADS FROM THE "B-3 SHOPPING CENTER DISTRICT TO R-4" CLASSIFICATION PLACED ON FIRST READING APRIL 15, 2019 AND TABLED MAY 6, 2019 WAS READ BY TITLE ONLY

Previously, Mr. Montello noted the changes were per the WHEREAS's in the Ordinance: 1) The City has engaged Mr. George Smerigan as a Planning Consultant to advise the City on what steps could be taken to spur economic development within the City. 2) Mr. Smerigan has recommended rezoning certain property within the B-3 Shopping Center District ("B-3 District") to a mixed-use classification. 3) As part of the rezoning process, the City would repeal Chapter of the Bedford Zoning Code that established the B-3 District, which would necessitate the rezoning of certain property that was used for multi-family residential use to a classification other than the B-3 District. 4) Council was considering rezoning property described herein from the B-3 District, upon its own initiative and upon the recommendation of Mr. Smerigan, the Building Commissioner and Administration, to the R-4 Multi-family Residence District ("R-4 District"), to align the zoning of the property with its current, appropriate use. 5) Rezoning from Permanent Parcel Nos. 813-02-001 / 813-03-002 / 813-03-004 / 813-03-005 from B-3 District to the R-4 District was in the public interest and was consistent with the recommendation of Mr. Smerigan. 6) Council desired to rezone said parcels to promote public health, safety and convenience of the City and to zone the property in a manner that was consistent with its current use. 7) This ordinance has been referred to the Planning and Zoning Commission for report and recommendation. 8) A Public Hearing related to the proposed rezoning was held.

ORDINANCE NO. 9685-19 AN ORDINANCE REPEALING AND REPLACING EXISTING CHAPTER 1939, ENTITLED "B-3 SHOPPING CENTER DISTRICTS" WITH A NEW CHAPTER 1939 ENTITLED "M-U MIXED-USE DISTRICT" OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD PLACED ON FIRST READING APRIL 15, 2019 AND TABLED MAY 6, 2019 WAS READ BY TITLE ONLY

Previously, Mr. Montello noted the changes were per the WHEREAS's in the Ordinance: 1) The City engaged a Planning Consultant, George Smerigan, to study land use within the City. 2) Mr. Smerigan has determined that the existing B-3 Shopping Center District ("B-3 District") may not permit uses that are sufficiently diverse to allow property owners within the District to utilize their properties in a manner consistent with evolving market conditions. 3) Ownership of properties within the B-3 District has become more diversified, which also supports a more flexible zoning district. 4) According to Mr. Smerigan, conditions have changed in the retail shopping market, which further supports the enactment of a more flexible zoning district. 5) Council does not want the City's zoning code to stand in the way of economic development opportunities for the City. 6) Mr. Smerigan has recommended that City Council repeal existing Chapter 1939, B-3 Shopping Center District, and replace it with a new Chapter 1939, M-U Mixed-Use District, in conjunction with rezoning certain properties from the B-3 District to either the M-U District or to the R-4 District. 7) Council, upon its own initiative and upon the recommendation of Mr. Smerigan and the City Administration, had determined that existing Chapter 1939, entitled "B-3 Shopping Center Districts" of the Codified Ordinances of the City of Bedford was to be repealed and replaced with new Chapter 1939 entitled "M-U Mixed-Use Districts," to promote public health, safety and convenience, and to advance economic development within the City. 8) Council intends by the enactment of new Chapter 1939 "M-U Mixed-Use Districts" to permit existing uses under the B-3 Shopping Center to continue and to provide property owners further flexibility in uses that were permitted under the City's Zoning Code so that property may be developed for productive use. 9) This ordinance has been referred to the Planning and Zoning Commission for report and recommendation. 10) A Public Hearing was advertised and held for the proposed code amendments.

Resolution No. 2533-19 and Ordinance Nos. 9689-19 and 9690-19 worked in conjunction annually for the street light assessment. The adoption of Resolution No. 2533-19 declaring it necessary to improve certain streets and public places in the City of Bedford by lighting of same and to assess the costs thereof against the lots and lands bounding and abutting upon the improvement. A legal notice of the

proposed improvement and the estimated assessments against the various properties determining to proceed with said lighting improvement. The City Manager has certified to this Council that the amount properly assessable against the benefiting property for lighting same with electricity in accordance with Resolution No. 2533-19 and Ordinance No. 9689-19 by the method provided for therein is at the rate of 1.60 mills per each dollar of tax value per year, or 1.60 cents per each one hundred dollars of such tax value per year for the tax year of 2019 to be collected in the year 2020.

RESOLUTION NO. 2533-19 A RESOLUTION DECLARING THE NECESSITY TO IMPROVE CERTAIN STREETS IN THE CITY OF BEDFORD, OHIO BY LIGHTING THE SAME PLACED ON FIRST READING MAY 6, 2019 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Rhoades seconded by Genutis to place Resolution No. **2533-19** on second reading.

The roll was called. Vote – Yeas: Fluharty, Saunders, Rhoades, Spinks, Genutis. Nays: None. Motion carried unanimously.

ORDINANCE NO. 9689-19 AN ORDINANCE DETERMINED TO PROCEED WITH THE IMPROVEMENT OF CERTAIN STREETS IN THE CITY OF BEDFORD, OHIO BY LIGHTING THE SAME PLACED ON FIRST READING MAY 6, 2019 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Spinks seconded by Genutis to place Ordinance No. **9689-19** on second reading.

The roll was called. Vote – Yeas: Fluharty, Saunders, Rhoades, Spinks, Genutis. Nays: None. Motion carried unanimously.

ORDINANCE NO. 9690-19 AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE IMPROVEMENT OF THE STREET AND PUBLIC PLACES OF THE CITY OF BEDFORD, OHIO BY LIGHTING OF THE SAME IN ACCORDANCE WITH RESOLUTION NO. 2533-19 AND ORDINANCE NO. 9689-19 PLACED ON FIRST READING MAY 6, 2019 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Rhoades seconded by Fluharty to place Ordinance No. **9690-19** on second reading.

The roll was called. Vote – Yeas: Fluharty, Saunders, Rhoades, Spinks, Genutis. Nays: None. Motion carried unanimously.

RESOLUTION NO. 2534-19 A RESOLUTION APPROVING AND ACCEPTING THE PROPOSED 2019 TAX BUDGET FOR THE YEAR JANUARY 1, 2020 TO DECEMBER 31, 2020 PLACED ON FIRST READING MAY 6, 2019 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Genutis seconded by Spinks to place Resolution No. **2534-19** on second reading.

The State laws required municipalities as well as other government subdivisions submit to the County Commission approximately six (6) months prior to the beginning of each calendar year, an estimated budget for the next calendar year so that the tax rate for such year may be determined by said Budget Commission. The Public Hearing was previously held at 7:00 p.m. on May 6, 2019.

The roll was called. Vote – Yeas: Fluharty, Saunders, Rhoades, Spinks, Genutis. Nays: None. Motion carried unanimously.

RESOLUTION NO. 2535-19 A RESOLUTION REQUESTING THE COUNTY AUDITOR TO ADVANCE TAXES FROM THE PROCEEDS OF TAX LEVIES FOR THE YEAR 2019 COLLECTED IN 2020 PURSUANT TO SECTION NO. 321.34 OF THE REVISED CODE OF THE STATE OF OHIO, PLACED ON FIRST READING MAY 6, 2019 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Rhoades seconded by Spinks to place Resolution No. **2535-19** on second reading.

Per Section No. 321.34 of the Revised Code of the State of Ohio provides that any money in the County Treasury, to the account of the City and lawfully applicable to the purpose of the current fiscal year be drawn upon by request.

The roll was called. Vote – Yeas: Fluharty, Saunders, Rhoades, Spinks, Genutis. Nays: None. Motion carried unanimously.

ORDINANCE NO. 9692-19 AN ORDINANCE TO LEVY ASSESSMENTS FOR THE EXPENSE OF GARBAGE/REFUSE COLLECTION, RECYCLING AND DISPOSAL WITHIN THE CITY OF BEDFORD, OHIO DURING THE TAX YEAR 2019 AND COLLECTD IN 2020 PLACED ON FIRST READING MAY 6, 2019 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Rhoades seconded by Genutis to place Ordinance No. **9692-19** on second reading.

The roll was called. Vote – Yeas: Fluharty, Rhoades, Spinks, Genutis. Nays: Saunders. Motion carried.

City Manager Michael Mallis hoped to see everyone at the Memorial Day Parade at 10:15 a.m. The railroad would be closed for the next five days. The Rockside Road Bridge repair was completed. The Planning Commission Public Hearing was May 21, 2019 at 6:00.p.m. He apologized on behalf of Councilwoman Mizensak for her absence this evening.

No reports from Law Director John Montello, Assistant Finance Director Jennifer Howland and Councilman Genutis.

Councilman Fluharty reported WOW was working in Ward 3 at 15 Henry Street as expected. He invited everyone to join for the Robert Loeffler Baseball Complex Unveiling Saturday, June 1<sup>st</sup> at 10:00 a.m. at the Bedford High School Baseball Fields. He was one of the 500 ball players that was coached by Mr. Loeffler.

Councilwoman Rhoades thanked everyone who participated in the Bedford Garden Club plant sale and the beautification of the City Hall garden. She urged residents to join the Garden Club. The Downtown Bedford Alliance's next cleanup project would be at the Dunham House on May 25<sup>th</sup>. The Playground Program was available for \$500 for the summer and Recreation Center had open enrollment for baseball.

Councilwoman Spinks was very pleased to attend the Heskett School Ties and Tiara 8<sup>th</sup> and 9<sup>th</sup> grade graduation. She thanked Principal Golden for all her efforts concerning the students. She said the Dominion Project continued in Ward 1. She explained Mazda was moving forward at the Rockside and Northfield Roads location.

Councilman Saunders talked about the Crain's article concerning the new business in the former Walmart building. He thanked the Bedford Garden Club for their involvement and announced the Rotary Rib Burn-off started May 31<sup>st</sup>. He questioned whether the Maple Heights side of Rockside Road Bridge was going to be repaired or a new approach pad poured with reinforcement. Mr. Mallis explained the repairs were the concerns of Maple Heights and Cuyahoga County; not Bedford.

ORDINANCE NO. 9696-19 AN ORDINANCE AMENDING ORDINANCE NO. 9653-18 MAKING ADDITIONAL APPROPRIATIONS FOR CURRENT EXPENDITURES OF THE CITY OF BEDFORD, OHIO DURING THE YEAR 2019 AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Spinks seconded by Genutis to place Ordinance No. **9696-19** on first reading.

Mrs. Howland explained per Mr. Gambosi's memo the amendments were as follows: General Fund: The increases in appropriations for 2019 in the General Fund were due to the following: Economic Development needs payroll updating at year end to account for wages paid to Director and benefits \$575. The Law Department needed an increase to account for longevity for the Law Director in the amount of \$1,435, and the Special Projects Fund needed appropriations for the online recording contract of \$9,435.00. Fund 201 First Suburbs Consortium Fund: To allow more funding of Economic Director's salary from this consortium for 2019 in the amount of \$1,185. Also, Marketing/Contracts Funds were allowed to be paid per the consortium up to \$4,000. Fund 210 Law Enforcement Trust Fund: To account for program income and additional funds from Automile as needed for the purchase of another canine and other program related expenditures in the amount of \$54,680.00. These funds were derived from the Automile and confiscated drug dollars. Fund 212 Fire Equipment Fund: This fund needed to account for the Stryker Loader Costs in the amount of \$47,995.20 of which \$35,981.40 was reimbursed from grant funds. Fund 213 Grants Fund: New grants including Bullet Proof Vests, US & R Task Force reimbursement, First Suburbs Community Development Corporation Grants, Recycle Grant, and VAWA Grant need appropriations for 2019. Fund 403 Capital Improvement Fund: This appropriation was to account for outside inspections by the Engineer and billed to the final users. In 2019, the City received an inspection payment in 2018 and paid the Engineer back in 2019, therefore, funds were needed to pay for this service in the amount of \$1,543.00. Fund 801 Law Enforcement Agency Fund: This appropriation was to allow transfer or refunding of local funds from confiscations collected in 2019 in the amount of \$22,182.14.

The roll was called. Vote – Yeas: Fluharty, Saunders, Rhoades, Spinks, Genutis. Nays: None. Motion carried unanimously.

ORDINANCE NO. 9697-19 AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH PVS TECHNOLOGIES, INC. BEING THE LOWEST, RESPONSIVE AND RESPONSIBLE BIDDER, AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY

Motion made by Spinks seconded by Fluharty to place Ordinance No. **9697-19** on first reading.

The lowest bid was PVS Technologies for the purchase of Liquid Ferric Chloride.

The roll was called. Vote – Yeas: Fluharty, Saunders, Rhoades, Spinks, Genutis. Nays: None. Motion carried unanimously.

ORDINANCE NO. 9698-19 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH SENIOR TRANSPORTATION CONNECTION AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY



Motion made by Rhoades seconded by Spinks to place Ordinance No. **9698-19** on first reading.

Mr. Mallis explained the Parks & Recreation Director recommended Senior Transportation Connection to provide additional transportation services to residents. The Administration desired to retain the services of competent and qualified Contractor to provide certain transportation services.

The roll was called. Vote – Yeas: Fluharty, Saunders, Rhoades, Spinks, Genutis. Nays: None. Motion carried unanimously.

Councilman Saunders said that concluded the business portion of the meeting and asked if anyone in the audience had any comments.

Richard Novak, 1252 Broadway, referenced Ordinance No. 9698-19 that contracted with Senior Transportation Connection. He questioned if this company was replacing the City's senior services. He asked if the City did their homework. He was familiar with the company and spent 17 1/2 years in this industry and had concerns the seniors would not get their transportation needs met. He questioned which STC location would be assigned to Bedford. Mr. Mallis explained the Parks & Recreation Director recommended Senior Transportation Connection (STC) to provide additional transportation services to the seniors. STC had competent and qualified Contractors to provide various transportation services and the goal was to be more efficient. The cost would remain the same during normal hours but the evening and weekends had different rates. Contracting with STC provided more hours of service, additional days per week with evening and weekend hours. Mr. Novak wished to review the contract to ensure the seniors were getting the same expected services. Mr. Mallis offered additional information after the meeting. Mr. Novak also said the Strawberry Festival needed volunteers.

Orlando Roserio, 257 Deborah Lane, said he had already talked to Councilwoman Mizzsak about the pot holes and fire hydrants in the Deborah and Bell area. He referred to an off-road four-wheel vehicle/golf cart that was driving up and down the road not fixing the pot holes or the fire hydrants. Mr. Mallis explained the Service Department was extremely busy and was in the process of addressing various projects/repairs. He said the Fire Department would address the hydrants. It was determined the off-road vehicle/golf cart Mr. Roserio referred to was another company identifying water leaks not City employees.


Jeff Duber, 134 Harriman, was pleased Bedford had firefighters who accomplished the Ohio Fire Chiefs Association Climbing the Ladder Master's FO IV: Ohio Fire Executive education. He explained the numerous hours, testing and dedication it took to achieve this level on the ladder of training, education and experience. Bedford had five graduates out of 24 in Cuyahoga County for this accomplishment.

Frank Thome, 1221 Broadway, thought the Tax Levy that was passed years ago was to keep the senior van and pool open. He questioned how the tax money was allocated for the senior van. Mr. Mallis thought Mr. Thome was talking about the Safety Forces Levy. He explained the goal was not to cut the program but there were other entities who could better serve the residents. He said the costs were about the same. The contract with Senior Transportation Connection was not a cut in services but to accommodate more services, better services and to provide senior van services with more availability. He explained 70% of the senior medical runs were 61% dialysis patients. STC could provide more vans at any given time with more transportation opportunities. Mr. Thome understood tax money would still be used to pay for this service. Mr. Mallis clarified the City would still provide a van transportation service and the City was not eliminating the senior transportation services. Mr. Thome questioned if the City could utilize both vans. Mr. Mallis explained the City compared all costs associated with paying an employee with medical costs and the additional van maintenance/insurance/gas versus paying STC. The cost would be about the same; however, the City could provide more hours of service, additional days per week with evening and weekend hours.

Councilman Saunders asked if there were any further comments. There being no reply, motion made by Fluharty seconded by Rhoades to adjourn. The roll was called. Vote – Yeas: Fluharty, Saunders, Rhoades, Spinks, Genutis. Nays: None. Motion carried unanimously.

Meeting adjourned at 8:47 P.M.

  
Clerk of Council

  
Mayor - President of Council